

Department of Water and Power



the City of Los Angeles

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October 6, 2010

Ms. Barbara Evoy, Chief
Division of Water Rights
State Water Resources Control Board
1001 I Street, 14th floor
Sacramento, California 95814

Dear Ms. Evoy:

Subject: Information on Facilitator-Lead Process and Petition for One-Year Operation and Monitoring of the Mono Basin

The Los Angeles Department of Water and Power (LADWP), the Mono Lake Committee (MLC), California Trout (Cal Trout), and the California State Department of Fish and Game (CDFG) look forward to your upcoming visit to the Mono Basin. Two important milestones have been achieved in implementation of Decision 1631 and Orders 98-05 and 98-07 since your Board's visit of 2007. In April 2010, the Board's appointed Stream Scientists submitted their Synthesis of Instream Flow Recommendations (Synthesis Report) based on the past 12 years of monitoring in the Mono Basin. In response to the recommendations, in July 2010, LADWP submitted a Feasibility Letter analyzing the feasibilities of the recommendations.

In such a complex and important project, naturally, there are differences of opinion between LADWP and the stakeholders regarding the Synthesis Report and the Feasibility Letter. Recognizing the differences, LADWP approached the above-mentioned stakeholders about the possibility of a facilitator-lead process in an attempt to identify and resolve differences before your Board makes a decision on modifications to LADWP's water license and other issues raised in the Synthesis Report and Feasibility Letter.

LADWP, MLC, Cal Trout, and CDFG are in agreement that a facilitator-lead process offers the best opportunity at this time to explore implementation feasibility issues including, but not necessarily limited to, facility and operational modifications, resolve differences of opinion, and to address related complex topics relevant to your Board. Of particular challenge is the outstanding question of whether or not modifications to existing LADWP facilities will need to occur in order to meet the Stream Scientists' proposed flows. The goal of this facilitator-lead process would be to develop a

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comprehensive package for submission to the Board that resolves as many outstanding matters as possible and provides a well-documented process for decision-making on any outstanding issues that remain.

This letter is a joint effort to inform you of our proposal to conduct a facilitator-lead process and to request your approval of this process.

While many details remain to be developed, the current plan is for LADWP to hire a facilitator that is approved by the above-mentioned stakeholders and have him/her contracted to start the facilitator-lead process in early 2011. It is the intent of the parties to work diligently to complete the process within 12 months. We would also engage the Stream Scientists as well as other technical experts for presentations and discussions as necessary during the process.

Also, LADWP will soon be submitting a one-year temporary flow petition to operate in the Mono Basin and in doing so, implement some of the newly recommended flows by the Stream Scientists to attempt to identify potential operational challenges, test operational solutions, and gather relevant data. This petition is also in active discussion with the stakeholders and Stream Scientists. The information gathered under this one-year petition will also help during the facilitator-lead process. LADWP is currently working on an operation and monitoring plan that will be included in the petition. As in the past, it will be circulated to the stakeholders and Stream Scientists for comments before it is finalized and submitted to you for approval.

We look forward to your concurrence with moving forward with a facilitator-lead process, and further discussion of a one-year temporary petition.

If you have any questions, please contact me at (213) 367-4739.

Sincerely,


Gene Coufal
Los Angeles Aqueduct Manager

BWM:jmm

c: Mr. Geoffrey McQuilkin, MLC
Mr. Mark Drew, Cal Trout
Mr. Steve Parmenter, CDFG